IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

FRIDAY, THE 5TH JANUARY 2007 / 15TH PAUSHA 1928

WP(C).No. 593 OF 2007(U)

PETITIONER:

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1. JUDY J. KISHORE,
   PADIYATH HOUSE, VADAKARA, THALAYOLAPARAMBU.

2. P.J.JUBY,
   PADIYATH HOUSE, VADAKARA,
   THALAYOLAPARAMBU.

BY ADV. SRI.G.PRABHAKARAN

RESPONDENTS:

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1. THE SECRETARY,
   REGIONAL TRANSPORT AUTHORITY, KOTTAYAM.

2. THE STATE TRANSPORT APPELLATE TRIBUNAL,
   ERNAKULAM.

3. K.C.VARKEY,
   KUNNATHUR HOUSE, ALAPURAM,
   ELANJI, KOTTAYAM.

GOVT. PLEADER SRI. M.A. FAYAZ.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R. RAMAN, J.

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W.P.(C) NO. 593 OF 2007

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DATED THIS, THE 5TH DAY OF JANUARY, 2007

J U D G M E N T

Petitioner challenges Exts.P5 and P7 produced in this case. Ext.P5 is an order passed by the State Transport Appellate Tribunal, Ernakulam, on 5.10.2006, in MVARP 294/2006 in which he is a party. Ext.P7 is a consequential order passed by the Secretary, R.T.A. in November, 2006. Petitioner did not choose to challenge Ext.P5 then and there, rather allowed the order to be implemented by Ext.P7. Ext. P7 having been thus passed in compliance with Ext.P5 and in the absence of any challenge thereto within a reasonable time, the timing allowed as per Ext.P5 may not be unsettled by an order passed under Article 226 of the Constitution of India.

However, if any substantial grievance is shown, it is open to the petitioner to challenge Ext.P7 order before the revisional authority.

Subject to the above observation, the writ petition is dismissed.

P.R. RAMAN,
JUDGE.

knc/-